

REMARKS

Claims 30, 32-36 and 40-59 are pending in the application with the present amendments. In the Office Action, all claims were rejected under 35 U.S.C. §103(a) as being obvious over U.S. Patent No. 6,839,851 to Saitoh et al. ("Saitoh") in view of U.S. Patent No. 6,381,262 to Ogino ("Ogino") and further in view of U.S. Patent No. 6,389,538 to Gruse ("Gruse"), or as obvious over Saitoh in view of Ogino, Gruse, and further in view of Kato et al. (6,470,496) and/or Sonoda et al. (U.S. Patent No. 6,622,004). Reconsideration and withdrawal of the rejections are respectfully requested in view of the amendments herein and remarks as set forth below.

The claims of the application have been amended herein to further clarify what applicant believes the invention to be. Thus, as amended herein, claim 30 now clarifies the meaning of the term "content data" as *including at least one of video content data or audio content data*. Such content data is not to be confused with content storage control information which is received along with the content data. The *content storage control information* specifies at least one condition selected from the group consisting of (a) a time interval from the time of recording the content data; (b) a permitted number of times for copying the content data and (c) a permitted number of times for reproducing the content data. The term "reproducing", as used in relation to the "content data," is now clarified to read "(i) reproducing the content data to output video to a monitor for viewing, or (ii) reproducing the content data to output audio to a speaker for listening." In accordance with the method recited in claim 30, the recorded content data are deleted from a recording medium when a condition specified by the content storage control information is met.

With the present amendments, applicant respectfully submits that the pending claims are more clearly distinguished from the cited references.

Each of the independent claims (claims 30, 41, 46 and 51) recites a key feature that

*content data [including at least one of video data or audio data] recorded on a recording medium are deleted from the recording medium when at least one condition specified by content storage control information is met.*

The condition to be met can be a time interval, permitted number of times for copying the content data, or a permitted number of times for reproducing the content data to output video to a monitor for viewing, or to output audio to a speaker for listening.

*Ogino*, col. 3, lines 1-25 is cited in the Office Action as teaching the deletion of content data when such condition is met. However, the cited passage of *Ogino* does not support this conclusion. This passage of *Ogino*, which appears in the background section of that patent, describes a problem of a prior art protection scheme which uses copy control information.

*Ogino* describes a way for unauthorized persons to obtain unauthorized access to content data. At col. 3, lines 1-25, *Ogino* describes efforts (by persons pirating the content) to defeat the copy protection mechanism. Unauthorized persons defeat the copy protection mechanism by *deleting the copy control information*. *Ogino* teaches that once the copy control information has been deleted and, for example, replaced with different information, an unauthorized person can obtain access to the pirated content.

On the other hand, in the present invention, unauthorized persons are prevented from accessing the content

data. In the present invention, this is accomplished by deleting the actual content data that was recorded on the recording medium. Clearly, Ogino does not teach or suggest deleting the recorded content data from the recording medium. The deletion of the actual content data from the recording medium is a feature which patentably distinguishes the invention recited in each of the independent claims from the cited art.

Support for the present amendments is provided, *inter alia*, in paragraphs [0065], [0080] through [0083], and [0087] through [0094] of the Specification.

As it is believed that all of the rejections set forth in the Official Action have been fully met, favorable reconsideration and allowance are earnestly solicited. If, however, for any reason the Examiner does not believe that such action can be taken at this time, it is respectfully requested that she telephone applicant's attorney at (908) 654-5000 in order to overcome any additional objections which she might have.

If there are any additional charges in connection with this requested amendment, the Examiner is authorized to charge Deposit Account No. 12-1095 therefor.

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Respectfully submitted,

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